

\*\*\*\* Bill No. \*\*\*\*

Introduced By \*\*\*\*\*

By Request of the Department of Labor and Industry

A Bill for an Act entitled: "An Act amending section 30-12-203, MCA; and amending fees for licensing of weighing devices; ; and providing an effective date."

Be it enacted by the Legislature of the State of Montana:

**Section 1.** Section 30-12-203, MCA, is amended to read:

**"30-12-203. Licensing of weighing devices.** (1) A person may not knowingly operate or use an unlicensed weighing device in trade or commerce for ascertaining the weight of any commodity.

(2) A license must be obtained by applying to the department upon a form provided by the department. Each license must require at least one inspection a year.

(3) An application must be accompanied by the proper fee as established by this section except that fees may be paid by credit card and may be discounted for payment processing charges paid by the department to a third party.

WEIGHING DEVICES

Capacity Fees

499 pounds or less	<del>\$12.00</del>	<u>\$16.00</u>
500 pounds through 1,999 pounds	<del>20.00</del>	<u>\$26.00</u>
2,000 pounds through 7,999 pounds	<del>40.00</del>	<u>\$51.00</u>
8,000 pounds through 60,000 pounds	<del>100.00</del>	<u>\$130.00</u>
60,001 pounds or more	<del>175.00</del>	<u>\$225.00</u>

(4) The capacity of a weighing device must be determined by the manufacturer's rated capacity.

(5) (a) All licenses are annual and, except for those described in subsection (5)(b), expire on the anniversary date established by rule by the board of review established in 30-16-302.

(b) Licenses for on-farm scales expire at the end of the calendar year.

(6) (a) A late renewal fee equal to 50% of the renewal license fee established in subsection (3) must be assessed if the fee is not paid:

(i) for on-farm scales, before the first day of the sixth month of the year in which the license fee is due; or

(ii) for all other licenses, within 60 days of the anniversary date.

(b) If the fee is not paid by the respective due date listed in subsection (6)(a), the weighing device may be sealed and removed from service by the department.

(c) A person may not use a weighing device that has been

removed from service or break the seal on a device removed from service until all fees have been paid.

(7) The fees must be deposited to the state special revenue fund of the department for use in the administration and enforcement of this part."

NEW SECTION.    **Section 2. {Standard} Effective date.** [This act] is effective October 1, 2007; amending section 30-12-203,MCA.

{*Internal references to 30-12-203:*

30-16-301x        30-16-301x        50-50-207x }

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{*Bernard A. Jacobs*  
*Agency Counsel*  
*Labor & Industry, Building Codes Bureau*  
*Telephone: 841-2043*  
*FAX: 841-2050*  
*E-Mail: [bjacobs@mt.gov](mailto:bjacobs@mt.gov)*  
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